REMARKS

The Examiner has rejected claims 1-12, 1/19, 2/19, 3/19, 4/19, 5/19, 6/19, 7/19, 8/19, 9/19, 10/19, 11/19, 12/19, 20-22 and 24 as being anticipated by Killion et al.

It is respectfully submitted that, for example, Killion et al. does not teach a filter unit having a timed response (e.g., ramp or low-pass filter) that is used to control the change of the program parameters. Killion et al. also, for example, does not teach the use of a bi-level switching state value (e.g., "0" or "1") to control the timed response filter to smooth a change in programs.

In Killion et al., the logarithmic rectifier 270 simply has a non-linear output in response to its input (i.e., logarithmic output), thus providing an output value indicative of the input but with a compressed dynamic range. There is nothing low-pass about a logarithmic filter (e.g. A step from 1 to 10 input will produce a step from 0 to 1 (log base 10) output. The step would be perfect. There would be no roll off at the knee.). This output value is a continuous function of the MIC 230 output, it is not a bi-level switching state value.

Further, the output from 270 is not a time-dependent output (i.e., one cannot determine its value based on knowing its value at some previous time). This value is used in a fader circuit (e.g., 205) that responds to the ambient noise level. The fader is not time-based (e.g., it is not responsive to a timed response filter) but instead directly responsive to the noise level. See, e.g., col. 9, lines 14-25. There is no bi-level switching state value that controls a filter having a timed response.

In particular respect to claims 21 and 22, it is respectfully submitted that the logarithmic amplifier 270 does not provide a low pass or ramp response. A logarithmic amplifier provides an output f(x)=log(x) where x is greater than 1 (i.e., it is a type of amplitude compressor). There is no function of time; it is a function of signal amplitude. This is not a ramp time function (e.g., 0 for t less than zero, t for t greater than or equal to zero but less than 1, and 1 for t greater than or equal to 1); a low pass time response (e.g., 1-exp(-t)); or a step time function (e.g., 0 for t less than zero 0 and 1 for t equal to or greater than zero).

The Examiner has rejected claims 13-18, 13/19, 14/19, 15/19, 16/19, 17/19 and 18/19 as being unpatentable over Killion et al. in view of Ruegg.

Ruegg does not teach a filter unit having a timed response that is used to control the change of the program parameters. Ruegg also does not teach the use of a bi-level switching state value (e.g., "0" or "1") to control the timed response filter to smooth a change in programs.

Killion et al., discussed above, also do not teach such elements.

Killion et al. and Ruegg cannot be combined to form the present invention.

It is respectfully submitted that claims 13-18, 13/19, 14/19, 15/19, 16/19, 17/19 and 18/19 are patentable over Killion et al. in view of Ruegg.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance and notification of same is requested.

Please charge the required extension of time fees to our Deposit Account No. 16-0820, as detailed in the first paragraph of this communication. If any additional fees are required by this communication, please charge them to our Deposit Account No. 16-0820, Order No. 34152.

Respectfully submitted,

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